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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,244	10/31/2003	Takahiro Omishi	SHO-0021	9034
23353 7590 02/22/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER				
HSU, RYAN				
ART UNIT		PAPER NUMBER		
3714				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/697,244

**Applicant(s)**

ONISHI ET AL.

**Examiner**

RYAN HSU

**Art Unit**

3714

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-7 and 15-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7 and 15-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

In response to the Request for Continued Examination (RCE) under 37 CFR 1.114 filed on 1/10/08. In response to the amendments filed on 1/10/08, claims 1 and 15 have been amended and claims 8-14 have been canceled without prejudice and claims 16-19 have been newly added. Claims 1-3-7 and 15-19 are pending in the current application.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 3-6, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quest et al. (WO/00/74010 A1) and Burckhardt et al. (US 5,596,711) and Murray (US 6,243,104 B1) and further in view of Chan et al. (US 5,577,201).**

Regarding claims 1, 4, 6, 15 and 17, Quest teaches a gaming machine comprising: a game result display device for displaying a game result thereon (*see display [9] of Fig. 1 and the related description thereof*); and a beneficial state generating device for generating a beneficial state for a player when a predetermined game result is displayed on the game result displaying device (*ie: a winning event or occurrence*) (*see pg. 8: ln 2-pg. 10: ln 15*). Additionally, Quest's game machine is equipped with an abnormality notification device for notifying an abnormality occurrence when an abnormality occurs (*see pg. 5: ln 1-21*). Quest's machine is enabled to provide information concerning the abnormality occurrence on the games display a plural times

or at least until the problem is corrected but is silent with respect to the stages of restoration work from an abnormal state to a normal state (*see pg. 4: ln 5-22*).

In a related computing patent, Burckhardt et al. teaches of a computer failure recovery and alert system that allows an operator to interact and use a diagnostics program with a computing device when an error or system failure occurs (*see col. 7: ln 30-col. 10: ln 56*). Additionally, Burckhardt et al. constantly updates its computing system of the state in which the restoration work of an abnormality (*ie: ASR flags*) (*see Fig. 3 and the related description thereof*) or lapse of a predetermined time. Furthermore, Burckhardt teaches a computing recovery system that teaches an abnormality occurrence history storing device for storing a predetermined history of the information concerning with the abnormality wherein the abnormality notification device changes a notifying mode of the information based on the predetermined history of the information stored in the abnormality occurrence history storing device (*see col. 7: ln 30-col. 8: ln 42 and ASR flags of Fig. 3 and the related description thereof*). Additionally, Burckhardt teaches the incorporation of a diagnostic device so that an operator may receive the error messages from the system and information on the restoration procedure in order to quickly correct the system failure (*see col. 12: ln 22-col. 13: ln 7*). The diagnostic programs inherently would provide information that allowed the operator with information such as error messages and restoration procedure messages or else the program would be useless in aiding the operator to fix the device. One would be motivated to incorporate the features of Burckhardt with that of Quest to look for teachings in the computing arts of system recovery systems. Since all modern electronic gaming machines are computing devices with specialized peripheral devices if the computing portion of the gaming device were to fail one would look towards implementations in

the computing arts to solve the error problems. Burckhardt teaches a diagnostic program and an effective system recovery system that would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate into the computing device of Quest in order to improve the error notification and correction system of a gaming machine. However, Quest and Burckhardt are silent with respect to the information concerning the abnormality to be displayed in an effect display area portion of the game result display device in a repeating series of information text messages with a subsequent one of the information text messages being at least substantially superimposed on an immediately preceding information text message such that a first information text message indicates the abnormality has occurred and a second information text message provides a removal procedure for removing the cause of the abnormality.

In a related message display patent, Murray teaches of a system that integrates a message into content on a computing display. The teachings in Murray inform the ability for a computer display screen to use superimposed messages which can be repositioned, rotated and scaled so that message information may be accurately displayed on a graphical display unit (*see col. 14: In 10-39*). One would be motivated to incorporate such a feature into the display of a computing device in order to meet the needs of providing information or message onto a screen during the operation of a program. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features taught in Murray with that of Quest and Burckhardt in order to have information text messages displayed on a game machine which are substantially superimposed on a video screen with information to provide the removal procedure for the cause of an abnormality in the game machine.

Furthermore, it is also noted that in a related computing patent, Chan et al. teaches of a diagnostic protocol and display system that provides a software routine that performs a diagnostic and provides correction routines displayed on an output display to aid in fixing of a computing device (*see col. 1: ln 54-col. 2: ln 5*). One would be motivated to incorporate the features taught in Chan with that of Quest, Burckhardt and Murray in order to provide a system that could quickly help a technician in fixing the computing system. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of Chan et al. with that of Quest, Burckhardt and Murray at the time the invention was made.

Regarding claims 3 and 16, Quest teaches a gaming machine that repeatedly notifies the information. However, Quest does not implicitly express an abnormality notification means which notifies information concerning with the abnormality notification repeatedly notifying the information. Although, Quest lacks in specifically describing an abnormality notification repeatedly, the ability to present an error code message or abnormality notification several times does not an unexpected result as a repeated message does not actually produce a different result then was presented previously from the ability to present it once. Therefore it would have been a simple matter of design choice for an ordinary person skilled in the art and would be a simple matter of design choice to be made by a programmer of the machine.

Regarding claims 5 and 18, Quest teaches the abnormality notification device to notify predetermined information concerning with the abnormality based on a predetermined operation (*ie: error codes or diagnostic information*) (*see pg. 5: ln 1-21*).

**Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quest et al. and Burckhardt et al. and Murray and Chan et al. as applied to claims above, and further in view of Muir et al. (US 2005/0192090 A1).**

Regarding claims 7 and 19, Quest teaches a gaming machine comprising: a game result display device for displaying a game result thereon (*see display [9] of Fig. 1 and the related description thereof*); and a beneficial state generating device for generating a beneficial state for a player when a predetermined game result is displayed on the game result displaying device (*ie: a winning event or occurrence*) (*see pg. 8: ln 2-pg. 10: ln 15*). Additionally, Quest's game machine is equipped with an abnormality notification device for notifying an abnormality occurrence when an abnormality occurs (*see pg. 5: ln 1-21*). Quest's machine is enabled to provide information concerning the abnormality occurrence on the games display a plural times or at least until the problem is corrected but is silent with respect to the stages of restoration work from an abnormal state to a normal state (*see pg. 4: ln 5-22*).

In a related computing patent, Burckhardt et al. teaches of a computer failure recovery and alert system that allows an operator to interact and use a diagnostics program with a computing device when an error or system failure occurs (*see col. 7: ln 30-col. 10: ln 56*). Additionally, Burckhardt et al. constantly updates its computing system of the state in which the restoration work of an abnormality (*ie: ASR flags*) (*see Fig. 3 and the related description thereof*) or lapse of a predetermined time. Furthermore, Burckhardt teaches a computing recovery system that teaches an abnormality occurrence history storing device for storing a predetermined history of the information concerning with the abnormality wherein the abnormality notification device changes a notifying mode of the information based on the predetermined history of the

information stored in the abnormality occurrence history storing device (*see col. 7: ln 30-col. 8: ln 42 and ASR flags of Fig. 3 and the related description thereof*). One would be motivated to incorporate the features of Burckhardt with that of Quest to look for teachings in the computing arts of system recovery systems. Since all modern electronic gaming machines are computing devices with specialized peripheral devices if the computing portion of the gaming device were to fail one would look towards implementations in the computing arts to solve the error problems. Burckhardt teaches a diagnostic program and an effective system recovery system that would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate into the computing device of Quest in order to improve the error notification and correction system of a gaming machine.

In a related message display patent, Murray teaches of a system that integrates a message into content on a computing display. The teachings in Murray inform the ability for a computer display screen to use superimposed messages which can be repositioned, rotated and scaled so that message information may be accurately displayed on a graphical display unit (*see col. 14: ln 10-39*). One would be motivated to incorporate such a feature into the display of a computing device in order to meet the needs of providing information or message onto a screen during the operation of a program. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features taught in Murray with that of Quest and Burckhardt in order to have information text messages displayed on a game machine which are substantially superimposed on a video screen with information to provide the removal procedure for the cause of an abnormality in the game machine.



Furthermore, it is also noted that in a related computing patent, Chan et al. teaches of a diagnostic protocol and display system that provides a software routine that performs a diagnostic and provides correction routines displayed on an output display to aid in fixing of a computing device (*see col. 1: ln 54-col. 2: ln 5*). One would be motivated to incorporate the features taught in Chan with that of Quest, Burckhardt and Murray in order to provide a system that could quickly help a technician in fixing the computing system. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of Chan et al. with that of Quest, Burckhardt and Murray at the time the invention was made. However, Quest and Burckhardt and Murray and Chan are silent with respect to a first and second display device set up in a configuration wherein the second display device is directly in front of the first display device.

Muir et al., an analogous gaming patent, teaches the implementation of a second display device in front of a variably display device in order to produce a superimposed image on the reels or to display graphics such as payout values, a pay table, and instructional information (*see Fig. 8 and the related description thereof*). One would be motivated to combine the display teachings of Muir with the machine of Quest in order to make a visually stimulating experience for the player (*see Fig. 6-9 and the related description thereof*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the display apparatus of Muir with Quest in order to create a game machine that had a first and second display device which is arranged in front of the each other when viewed from a front side of the game machine such that it could display an abnormality notification information to a user on the various layered first or second display devices in a game machine.

***Response to Arguments***

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communication from the examiner should be direct to Ryan Hsu whose telephone number is (571)-272-7148. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E Pezzuto can be reached at (571)-272-6996.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 1-866-217-9197 (toll-free).

/Ryan Hsu/

Examiner, Art Unit 3714

February 13, 2008

/Robert E Pezzuto/

Supervisory Patent Examiner, Art Unit 3714

